

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Akira SHIMOKOHBE et al.

Application No.: 09/556,795

Filed: April 25, 2000



Group Art Unit: 2813

Examiner: A. Sarkar

Docket No.: 106096

For: A THIN FILM-STRUCTURE AND A METHOD FOR PRODUCING THE SAME

RESPONSE TO RESTRICTION REQUIREMENT

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

In reply to the Restriction Requirement mailed January 10, 2001, Applicants hereby provisionally elect Group II, claims 3-22 drawn to a method of producing a thin film structure. This election is made with traverse.

It is respectfully submitted that the subject matter of all groups is sufficiently related that a thorough search for the subject matter of any one group would necessarily encompass the search for the subject matter of the remaining group. Thus, it is respectfully submitted that the search and examination of the entire application could be performed without serious burden. MPEP §803 clearly states that: "If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on its merits, even though it includes claims two distinct or independent inventions." It is respectfully submitted that the policy should apply in the present application in order to avoid

RECEIVED
FEB-7 2001
TO 2800 MAIL ROOM

Handwritten signature and date 2/8/01

unnecessary delay and expense to the Applicants due to duplicative examination by the Patent Office.

The Examiner is respectfully requested to reconsider and withdraw the Restriction Requirement and to examine all of the claims in this application.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Thomas J. Pardini
Registration No. 30,411

JAO:CCH/mdw

Date: February 6, 2001

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461
--